

DANIEL M. ORTNER, No. 329866
dortner@pacificlegal.org
ETHAN W. BLEVINS, Wash. Bar No. 48219*
eblevins@pacificlegal.org
Pacific Legal Foundation
555 Capitol Mall, Suite 1290
Sacramento, CA 95814
Telephone: (916) 419-7111
Facsimile: (916) 419-7747
Attorneys for Plaintiff Elizabeth Weiss
**pro hac vice admission pending*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ELIZABETH WEISS,

Plaintiff,

v.

STEPHEN PEREZ, in his official
capacity as Interim President of San
Jose State University; VINCENT J.
DEL CASINO, in his official capacity
as Provost of San Jose State
University; WALT JACOBS, in his
official capacity as Dean of the
College of Social Sciences at San Jose
State University; ROBERTO
GONZALES, in his official capacity
as Chair of the Department of
Anthropology at San Jose State
University, CHARLOTTE SUNSERI,
in her official capacity as NAGPRA
Coordinator at San Jose State
University, and ALISHA MARIE
RAGLAND, in her official capacity as
Tribal Liaison at San Jose State
University,

Defendants.

No. 5:22-cv-00641-BLF

**PLAINTIFF ELIZABETH WEISS'S
SECOND STATEMENT
OF RECENT DECISION**

Date: April 28, 2022
Time: 9:00 a.m.
Location: Courtroom 3, 5th Floor
Judge: Hon. Beth Lawson Freeman
Date Action Filed: January 31, 2022
Trial Date: TBD

1 Pursuant to Local Rule 7.3(d)(2), Plaintiff Elizabeth Weiss submits this
2 Statement of Recent Decision, calling the Court's attention to a recent decision of the
3 Eleventh Circuit Court of Appeals in *Speech First, Inc. v. Cartwright*, No. 21-12583,
4 2022 WL 1192438 (11th Cir. April 21, 2022) (op. attached as Exhibit A). The decision
5 was published after Professor Weiss filed her reply in support of her motion for
6 preliminary injunction and her opposition to the Defendants' motion to dismiss and
7 addresses issues that may be relevant to Professor Weiss's claims.

8 DATED: April 22, 2022.

9 Respectfully submitted,

10 DANIEL M. ORTNER
11 ETHAN W. BLEVINS
Pacific Legal Foundation

12 By s/ Daniel M. Ortner
13 DANIEL M. ORTNER

14 *Attorneys for Plaintiff*
15 *Elizabeth Weiss*

CERTIFICATE OF SERVICE

I hereby certify that on April 22, 2022, Opposing Counsel received the foregoing
PLAINTIFF ELIZABETH WEISS'S SECOND STATEMENT OF RECENT
DECISION via CM/ECF service.

s/ Daniel M. Ortner
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